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Attorney's Docket No.: 042390.P4024

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vishram P. Dalvi  
Rodney R. Rozman

Examiner:

Art Unit: 2511

Application No.: 08/814,928

Filed: February 27, 1997

For: STATUS INDICATORS FOR FLASH MEMORY

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.10(c) TO ASSIGN EARLIER FILING DATE

Sir:

Applicants respectfully petition under 37 C.F.R. § 1.10(c) that the above-referenced patent application be assigned a filing date of February 27, 1997. The Notice of Missing Parts shows an incorrect date of March 12, 1997. Applicants respectfully submit that the earlier filing date of February 27, 1997 should have been entered because Applicants complied with the Express Mail procedures under 37 C.F.R. § 1.10.

Applicants submit herewith the following exhibits in support of this request:

Exhibit A: a photocopy of the postcard in the application with the Express Mail number;

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on August 27, 1997  
Date of Deposit  
LESTER J. VINCENT REG # 31460  
Name of Person Mailing Correspondence  
[Signature] August 27, 1997  
Signature Date

Exhibit B: a photocopy of the title page of the application with the Express Mail mailing label number and date of deposit;

Exhibit C: a true photocopy of the Express Mail receipt in the application;

Exhibit D: Declaration and Statement of Facts by Cathy A. Kerr, who certifies that the above-captioned patent application was deposited with the United State Postal Service Express Mail Post Office to Addressee service on February 27, 1997; and

Exhibit E: An exemplary Express Mail label as used by the law firm representing applicant.

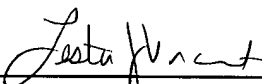
This petition is being filed promptly after the undersigned became aware from the Notice of Missing Parts that the U.S. Patent and Trademark office was according an incorrect filing date.

If any fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 27, 1997

  
\_\_\_\_\_  
Lester J. Vincent  
Reg. No. 31,460

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(408)720-8598



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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

Serial/Patent No. 42390 P4024 Filing Status Date 2/20/97

Client INTEL CORPORATION

Title Status Indicators for Flash Memory

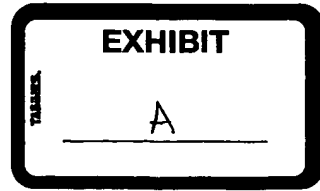
BSTZ File No. 42390 P4024 Any/Sec'y Initials LHV/40P

Date Mailed: 2/20/97 Docket Due Date 4/15/97

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment/Response (____ pgs.)	<input type="checkbox"/> Express Mail No. <u>EM5641131280</u> Check No. <u>15792</u>
<input type="checkbox"/> Appeal Brief (____ pgs.)	<input type="checkbox"/> Month(s) Extension of Time <u>1</u> Amt <u>\$1048.00</u>
<input checked="" type="checkbox"/> Application - Utility <u>36</u> pgs., with cover and abstract	<input type="checkbox"/> Information Disclosure Statement & PTO 1449 (____ pgs.)
<input type="checkbox"/> Application - Rule 1.60 Continuation (____ pgs.)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Application - Rule 1.60 Division (____ pgs.)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application - Rule 1.60 CIP (____ pgs.)	<input type="checkbox"/> Petition for Extension of Time
<input type="checkbox"/> Application - Rule 1.62 Transmittal (____ pgs.)	<input type="checkbox"/> Petition for
<input type="checkbox"/> Application - Design (____ pgs.)	<input checked="" type="checkbox"/> Postcard
<input type="checkbox"/> Application - PCT (____ pgs.)	<input type="checkbox"/> Power of Attorney (____ pgs.)
<input type="checkbox"/> Application - Provisional (____ pgs.)	<input type="checkbox"/> Preliminary Amendment (____ pgs.)
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Reply Brief (____ pgs.)
<input checked="" type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Response to Notice of Mailing
<input checked="" type="checkbox"/> Declaration & POA ( <u>6</u> pgs.) (unsigned)	<input type="checkbox"/> Request to Incorporate Disclosure Document
<input type="checkbox"/> Disclosure Docs & Copy of Inventor's Signed Paper (____ pgs.)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business
<input checked="" type="checkbox"/> Drawings: <u>17</u> sheets of drawings	<input checked="" type="checkbox"/> Transmittal Letter (original & copy) (2 pgs.)
<input type="checkbox"/> Other: _____	

**08/814928**



UNITED STATES PATENT APPLICATION  
FOR  
STATUS INDICATORS FOR FLASH MEMORY

Inventors:

Vishram P. Dalvi  
and  
Rodney R. Rozman

prepared by:

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025-1026  
(408) 720-8598

Attorney Docket No.: 042390.P4024

EXPRESS MAIL CERTIFICATE OF MAILING

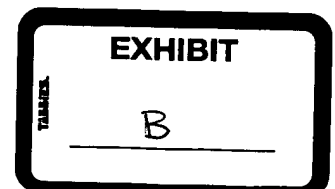
"Express Mail" mailing label number EM564113128 US

Date of Deposit February 27, 1997

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

CATHY A. KERR  
(Typed or printed name of person mailing paper or fee)

Cathy A. Kerr  
(Signature of person mailing paper or fee)



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TO ADDRESSEE



EXPRESS MAIL

UNITED STATES POSTAL SERVICE

EM564113128US



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ORIGIN (POSTAL USE ONLY)

INTERNATIONAL SHIPMENTS ONLY		P.O. ZIP	Day of Delivery	Postage	
		5101	Next <input type="checkbox"/> Second <input checked="" type="checkbox"/> Flat Rate Envelope <input type="checkbox"/>	15.00	
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Time In	20:02	AM <input type="checkbox"/> PM <input type="checkbox"/>	2nd Day		
Weight	11 8	lbs oz	Alpha Country Code		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		Acceptance Clerk Initials		Total Postage & Fees	
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Express Mail Corporate Acct. No.		<input type="checkbox"/> NO DELIVERY	
Federal Agency Acct. No. or Postal Service Acct. No.		<input type="checkbox"/> WEEKEND <input type="checkbox"/> HOLIDAY	

FROM: (PLEASE PRINT)

PHONE

2/27/97

BLAKELY SOKOLOFF  
TAYLOR & ZAFMAN LLP  
1279 OAKMEAD PKWY  
SUNNYVALE

CA 94086-4040

42390.P4024

LJV/jpp

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Box! PATENT APPLICATION

EXHIBIT

C

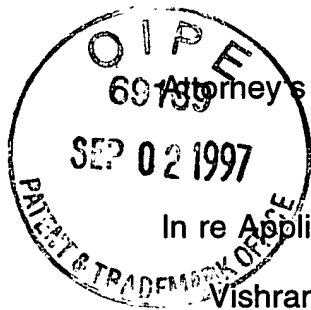


EXHIBIT D

Patent

Attorney's Docket No.: 042390.P4024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vishram P. Dalvi, et al.  
Rodney R. Rozman

Application No.: 08/814,928

Filed: February 27, 1997

For: STATUS INDICATORS FOR FLASH MEMORY on

Examiner:

Art Unit: 2511

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

August 27, 1997  
Date of Deposit

LESTER J. VINCENT REG # 31,460  
Name of Person Mailing Correspondence

Lester J. Vincent  
Signature  
August 27, 1997  
Date

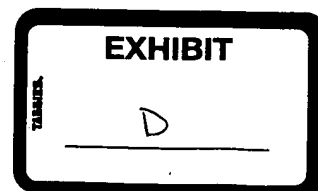
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

DECLARATION AND STATEMENT OF FACTS

Sir:

I, Cathy A. Kerr, hereby declare:

1. I am making this DECLARATION AND STATEMENT OF FACTS in connection with the above-captioned patent application ("the application").
2. I am currently employed as a legal secretary at the firm of Blakely, Sokoloff, Taylor & Zafman (the "Firm"). I am a secretary for Lester J. Vincent who is an attorney at the firm of Blakely, Sokoloff, Taylor & Zafman and is registered to practice before the U.S. Patent and Trademark Office (Reg. No. 31,460).
3. I am familiar with the procedures of the Firm relating to the filing of United States patent applications using Express Mail. According to these procedures, an Express mail mailing label such as Exhibit E is used for filing United States patent applications. As Exhibit E shows, the "form" box, the "to" box, and the "method of



payment" box are pre-typed. According to the procedures, when a pre-typed label such as exhibit E is used for filing a patent application, the following information is added by typing or printing: 1) the responsible attorney's initials and /or name; 2) the initials of the secretary filling out the label; 3) the client number; 4) the matter number; 5) a Patent and Trademark Office box number, if applicable; and 6) the date of mailing. According to the procedures, any marks made by anyone at the Firm are made below the blue line on the Express Mail label that says "Customer Use Only." According to the procedures, no marks whatever are made by anyone at the Firm above the blue line in the boxes marked "Postal Use Only."

2. On February 27, 1997, I prepared the above-identified patent application for filing according to the above-described procedures, along with the patent transmittal form, filing fee check, and acknowledgment postcard in order to Express Mail the application to the U.S. Patent and Trademark Office.

3. As is standard office procedure, I wrote the Express Mail Label No. on the patent application cover page in the appropriate location on the Express Mail certificate. On the Express Mail certificate I also wrote in the date of mailing, which was February 27, 1997, and signed as the person who would be actually mailing the application. Exhibit B is an accurate copy of the title page of the application with the Express Mail mailing label number and date of deposit.

4. After Lester J. Vincent signed and dated the patent transmittal cover page and the check for the filing fee, all the documents were photocopied in order for us to have a complete copy of the application as filed. Before placing the patent application for filing in the Express Mail envelope, the complete package was reviewed in order to be certain that all pages of the application were included, all pertinent documents were signed, the check was included, and that the Express Mail

certificate was signed. The documents were then placed in an Express Mail envelope with Express Mail Label No. EM564113128US on it and the package sealed.

5. I then personally on February 27, 1997 carried the application with the Express Mail label to the Post Office on Lundy Avenue in San Jose, California. At the Post Office, I delivered the application with the Express Mail label to the Post Office clerk. The Post Office clerk wrote "February 27, 1997" on the top of the Express Mail label and then tore apart the different pages of the Express Mail label. Exhibit C is an accurate photocopy of the Express Mail label.

6. The postal clerk also stamped the same Express Mail receipt with a red stamp that read "SAN JOSE CA WINDOW NO. 6 USPS February 27, 1997" while I was at the post office window on February 27, 1997. That stamp can be seen on the photocopy of the Express Mail label that is attached as Exhibit C.

7. Exhibit A is an accurate photocopy of the postcard in the application with the Express Mail number.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under



Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any patent issuing from patent application number 08/814,928.

Full Name of Declarant: Cathy A. Kerr

Declarant's Signature Cathy A. Kerr Date August 27, 1997

Residence San Jose, California Citizenship U.S.A.  
(City, State) (Country)

Post Office Address 1157 Littleoak Drive  
San Jose, California 95129

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Federal Agency Acct. No. or  
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DELIVERY (POSTAL USE ONLY)

Delivery Attempt  
Mo. Day Time AM ☐ PM ☐ Employee Signature  
Delivery Attempt  
Mo. Day Time AM ☐ PM ☐ Employee Signature  
Date of Delivery  
Mo. Day Time AM ☐ PM ☐ Employee Signature  
Signature of Addressee or Agent  
X  
Name - Please Print  
X

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**BLAKELY SOKOLOFF  
TAYLOR & ZAFMAN LLP  
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PHONE

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EXHIBIT

E

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